

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DOC #:
DATE FILED: 12/10/2019

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Kaine Goodwin,

Plaintiff,

-against-

Hawker Dayton Corporation, et al.,
Defendants.
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19 Civ. 4284 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on November 22, 2019, Judge Gorenstein issued a Report and Recommendation to grant Plaintiff's application for default judgment (Dkt. No. 35);

WHEREAS, as stated in Judge Gorenstein's November 22, 2019, Report and Recommendation, the deadline for any objections was December 6, 2019 (Dkt. No. 35);

WHEREAS, no objections were timely filed;

WHEREAS, in reviewing a Magistrate Judge's Report and Recommendation, a district judge "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). "When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) Advisory Committee Notes; *accord Niles v. O'Donnell*, No. 17 Civ. 1437, 2019 WL 1409443, at *1 (S.D.N.Y. Mar. 28, 2019);

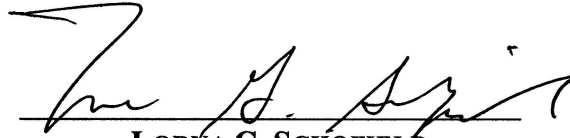
WHEREAS, the Court finds no clear error on the face of the record. It is hereby

ORDERED that the Report and Recommendation is adopted. For the reasons stated in the Report and Recommendation, Plaintiff's application for default judgment is **GRANTED**. Plaintiff is awarded a judgment against Defendants Hawker Dayton Corp. and William Darrow II, jointly and severally, in the total amount of \$262,020 in withdrawal liability, \$105,546.87 in

accrued interest (equal to a rate of \$162.63 per day from March 1, 2018 to the date judgment is entered), and \$14,681 in attorneys' fees and costs.

The Clerk of Court is respectfully requested to close the case.

Dated: December 10, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE